

POLITICAL PARTY QUALIFICATION PROCESS REQUIREMENTS, HISTORY

The method by which political parties gain and retain qualified status in California is prescribed in the Elections Code in §§5000-5200.

In order to achieve initial qualified status and be able to participate in a statewide primary election to nominate candidates for the November general election, a proposed political party must:

1. Hold a caucus or convention to elect temporary officers and designate a party name; §5001(a)
2. File a notice with the Secretary of State declaring that the political body has organized, elected temporary officers, and declared an intent to qualify as a political party pursuant to Elections Code §5100, and providing names and addresses of the temporary officers; **and either** §5001(b)
 - a) No later than 154 days before the primary election in which they wish to participate (as reported on the 135th day before the election), have registrants in the party equal in number to at least 1% of the total votes cast at the preceding gubernatorial election – currently 77,389; or §5100(b)
 - b) No later than 135 days before the primary election in which they wish to participate, have certified to the Secretary of State by county elections officials registered voter signatures on a petition equal in number to at least 10% of the total votes cast at the preceding gubernatorial election – currently 773,883. §5100(c)

Once qualified, a political party maintains its qualified status by:

Retaining registrants representing at least 1/15 of 1% (.00067%) of the total state registration (based on the Report of Registration published by the Secretary of State with respect to voters registered as of the 154th day before the primary election); **and either** §5101

1. Having one of its candidates for statewide office (Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General, Insurance Commissioner, or United States Senator) receive at least 2% of the total vote cast for that office in the gubernatorial election; **or** §5100(a)
2. Retaining statewide registration equaling at least 1% of the total votes cast at the gubernatorial election. §5100(b)

There are currently seven qualified political parties in California. In addition to the Democratic and Republican parties, which have participated in state primary elections since 1910, six other parties have qualified since 1967. In 1968, both the American Independent Party and the Peace and Freedom Party qualified by the voter registration method. The Libertarian Party achieved the requisite number of registrants in 1980; the Green Party reached the required number in 1992; and

the two most recent parties to achieve recognized political status in California were the Natural Law and the Reform parties, garnering the requisite number of registered voters in 1996. The Reform Party failed to meet the threshold needed to maintain its status as a qualified political party in California, based on the November 5, 2002 election results. The Peace and Freedom Party similarly lost its qualified status in 1998, but requalified in March of 2003.

Since the statewide party nomination process began in 1910, eighteen parties have qualified to participate in primary elections, including:

*Democratic 1910-present	Progressive 1934-1938
*Republican 1910-present	Townsend 1938-1942
*Independence League 1910	Independent Progressive 1948-1954
*Prohibition 1910-1962	American Independent 1968-present
*Socialist 1910-1938	Peace and Freedom 1968-1998; 2003-present
Progressive ("Bull Moose") 1912-1918	Libertarian 1980-present
Liberty 1932-1934	Green 1992-present
Commonwealth 1934-1938	Natural Law 1996-present
Communist 1934-March 1944	Reform 1996-2002

*Active before 1910.

Prior to 1910, many parties either conducted conventions or held primary elections to select their candidates for the statewide general election.

Partisan Offices

<u>Office</u> ¹	<u>Term of Office</u>	<u>Term Begins</u>	<u>Number of Districts</u>	<u>Qualifications</u>
President	4 yrs.	Jan 20, 2005 (12:00 noon)	N/A	Natural-born citizen of the United States, at least 35 years of age, resident of the United States for at least fourteen (14) years.
United States Senator	6 yrs.	Jan. 3, 2005 (12:00 noon)	N/A	At least 30 years of age, registered voter, United States citizen for at least nine (9) years, resident of the state when elected.
United States Representative in Congress	2 yrs.	Jan. 3, 2005 (12:00 noon)	53	At least 25 years of age, registered voter, United States citizen for at least seven (7) years, resident of the district when elected.
State Senator	4 yrs.	Dec. 5, 2004	20 (odd - numbered)	United States citizen, registered voter in the district at the time nomination papers are issued. ² May not have served two terms in the State Senate since November 6, 1990.
Member of the Assembly	2 yrs.	Dec. 5, 2004	80	United States citizen, registered voter in the district at the time nomination papers are issued. ² May not have served three terms in the State Assembly since November 6, 1990.

¹ Any candidate for state partisan office shall have been continuously registered with the political party the nomination of which he or she seeks for not less than three months prior to the time of presentation of his/her Declaration of Candidacy or, if eligible to register for less than three months, for as long as he or she has been eligible to register to vote in California. The candidate shall not have been registered as affiliated with a political party other than that party within twelve months immediately prior to the filing of the Declaration of Candidacy. This party affiliation requirement is not applicable for candidates of political parties participating in their first direct primary election subsequent to their qualification as political parties. §8001

² Article IV, Section 2(c), of the California Constitution requires one year residency in the legislative district and California residency for three years. However, it is the legal opinion of the Secretary of State's office that these provisions violate the U.S. Constitution.